

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

United States Courts
Southern District of Texas
FILED

NOV 25 2024

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Nathan Ochsner, Clerk of Court

Case No. _____

(to be filled in by the Clerk's Office)

Robert Felder III

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint.
If the names of all the plaintiffs cannot fit in the space above,
please write "see attached" in the space and attach an additional
page with the full list of names.)

-v-

Galveston County Sheriff's Office

Defendant(s)

(Write the full name of each defendant who is being sued. If the
names of all the defendants cannot fit in the space above, please
write "see attached" in the space and attach an additional page
with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS (Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

II. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which

you have been known:

ID Number

Current Institution

Address

Robert Felder III345819643300 S College Ave Apt D9BryanCityTXState77801Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

Galveston County Sheriff's Office5700 AVE HGalvestonCityTXState72550Zip Code Individual capacity Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

CityStateZip Code Individual capacity Official capacity

Defendant No. 3

Name	<hr/>		
Job or Title (if known)	<hr/>		
Shield Number	<hr/>		
Employer	<hr/>		
Address	<hr/>	<hr/>	<hr/>
	City	State	Zip Code
	<input type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity		

Defendant No. 4

Name	<hr/>		
Job or Title (if known)	<hr/>		
Shield Number	<hr/>		
Employer	<hr/>		
Address	<hr/>	<hr/>	<hr/>
	City	State	Zip Code
	<input type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity		

III. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- Federal officials (a *Bivens* claim)
 State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Slander, Libel, false Arrest, Character Assassination, Pain & Suffering, illegal imprisonment, drug test Kit wrongfully Report
C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under Bivens, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- Pretrial detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other (explain) detainee, Probation Revoked, Indictment

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

6/25/2024 Galveston County Sheriff's Office

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

6/25/2024 Galveston County Sheriff's Office

- C. What date and approximate time did the events giving rise to your claim(s) occur?

6/25/2024 9:00 AM

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) I been Charged with 4 3rd degree Felonies, the test feild kit were wrong false positive results, I have lost good time credit due to these false allegations, family, business, Probation Reinstatement, and Plea deal was losted and looked at attorney accused, bond rised 600,000 more and Sit in jail more time until lab came back Restitution defamtion Charater by Galveston County Sheriffs' Office false report & Treated unfair

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Pain & Suffering, Slander, Libel, false Arrest Charater ASSASSINATION

Stigma, major depression, Axz., Stress, losted weight
wanted to harm myself, treat unfairly, Slander

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

The DA offer me 15 years on my case I was going to trial. My Bond went up 600,000 more so I couldn't bond out I missed out on my dad's Stat. 250,000 Settlement

damage my wife & kids Blamed me for something wasn't true I Lost my Job & Business I make 100,000 - 80,000 a year

I lost farm animal cows, horse and dog due to this event,

All together I lost out on \$235,000 because I was wrongly Accused & defamtion of my Charater, false re, like I a drug user or dealer when I not I was looked at by everybody wrong for no reason

VIII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

6/25/2024 Galveston County Sheriffs Officer

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

Yes Lab Show I was false And

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

- E. If you did file a grievance:

1. Where did you file the grievance?

Galveston County Sheriff's Office

2. What did you claim in your grievance?

defamation Charater, Wrongly accused, & restitution
false report, Treated unfairly, /Slander, Pain & suffering

3. What was the result, if any?

None yet, no responses neither, Said
Speak with a lawyer about the matter.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

No Appeal

Filed a Inmate grievance only at this point
No responses yet, Told me Speak with a lawyer

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

Sgt Moran told me talk with my lawyer

I did both I told Sgt Dunn He Said I can sue if lab Prove field test was wrong and they wasn't fit

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

11/20/24 Prove by Lab I was false Arrest

No drugs

Waiting on Lab test to prove they was wrong

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

- ? The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

Yes

No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

I Don't Know

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Yes No

- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

 Yes No

If no, give the approximate date of disposition

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/20/24

Signature of Plaintiff

Robert Felder III

Printed Name of Plaintiff

Robert Felder III

Prison Identification #

34581964

Prison Address

3300 S College Ave Apt D9

Bryan

TX

77801

City

State

Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Complaint/Grievance

On June 25, 2024 I was notified that I have four 3rd degree felonies added to my current case. The four new charges were a result from a shakedown that was conducted by Galveston County Sheriff's Office and a task force agency. At the time I had no idea what substances were found since I had nothing on me. They strip searched me. I thought someone placed the substances on my bunk since I share a living area with 47 others inmates and stay in a high traffic area by the restroom. When I talked to the task force agent he showed me photos of the alleged substances and told me that those substances were tested using a drug kit and came back positive for Cocaine, Fentanyl, and Heroin. I told the agent that the substances in the photo were cold busters and my high blood pressure pill given to me by the medical staff and is authorized by Galveston County. The Agent told me they will dismiss the charges when the result come from the lab. It has been over 3 weeks since the new charges and yet to have a formal fair bond hearing or results from the lab. These new charges are effecting my current case the possibility of getting reinstated. The DA went up ten years on my probation case. I have done anything wrong. I'm innocent but getting wrongly accused I can take a drug test to prove it. I'm getting blamed for something that not correct. I lost my

Business and Job due to this, family and friends looking at me like I'm doing or dealing drug in jail and don't want to support me anymore. This needs to hurry be dismissed, I wasn't in the wrong, hope to get this fix ASAP its causing me stress also family to worry. I would like to file a complaint and grievance against Galveston County Sheriff's Office Incident report, manufacture drug test kits false positive results of the drug test kits, definition of Charter, and not properly trained, and wrongly Accused also As of today July 22, 2024 I been lock up 270 days Restitution this Cost me \$260,000 I missed out on and lost with business, Job, farter Estate, family and pets I want to Sue for \$1,000,000 and dismiss case ASAP

Robert Fekken, III

7/22/24

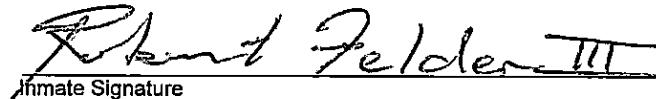
INMATE GRIEVANCEDATE: 8/1/2024INMATE: ROBERT Louis FELDER III Booking#: 406411TANK/POD: G300 / 41

Print or write legibly. Include all dates, times and names of persons involved when necessary. DO NOT have inmates sign their names as witnesses. Simply print or write the inmate's name at the bottom of the grievance. This stops inmates from being pressured into signing the grievance. List the names of the DEPUTY and/or SUPERVISOR that you have to solve this problem with:

DEPUTY: Supervisor / Grievance Board SUPERVISOR: Grievance Board

I been Charged 3 controlled substances & Prob Item for the wrong reason. I talked with a task force agency 3 weeks ago he showed me Photo of Cold buster & High blood Pressure Pills Not drug. And a pen grip They all wrong accused me. They can drug test me I will guess to show them. They filed false reports, Racial Profile, false Imprisonment, Slander my reputation and treated me unfairly asking me who was bring drugs in when the pill was prescription items from the med Cart. They need to dismiss this its effecting me and my family pain and suffering. The DA went up ten years and Revoked my probation before we could get results from the FBI lab. I'm getting treated unfairly, name Shady false & Incent Report, Racial Profile, Defamation of Character and false impress. I want to file a law suit, Grievance & Complaint against Galveston Co Sheriff Office. It's making my time a lot hard as well stressful. I lost wages, friend, and family thinking I'm on drugs and not supporting me anymore. I'm being bullied by others inmate & deputy. As of today I been false imprisonment and more 3 weeks since won't charge. I'm a family man just try to get reinstated and home to my wife & 3 kids. The County & Taskforce Turned the gun & Weed to fix this ASAP Please & Thank You

Please Write Back



Inmate Signature

Put this completed form in an envelope addressed to the Grievance Board the same day or the next normal workday. Do not use this form as an inmate request. Refer to the Inmate Handbook for the proper procedure. Unless the Grievance is of an emergency nature, the Grievance Board has fifteen (15) days in order to make a written reply.

INMATE GRIEVANCEDATE: 8/4/2024INMATE: ROBERT FELDER III Booking#: 406411

TANK/POD: _____

Print or write legibly. Include all dates, times and names of persons involved when necessary. DO NOT have inmates sign their names as witnesses. Simply print or write the inmate's name at the bottom of the grievance. This stops inmates from being pressured into signing the grievance. List the names of the DEPUTY and/or SUPERVISOR that you have to solve this problem with:

DEPUTY: Galveston Co Jail SUPERVISOR: Taskforce Galveston Co Jail

My Constitutional rights was violation during the Strike down June 25, 2024 in Feb in Galveston Co Jail I been incorrectly accused false report, Treated unfairly, Racial Profiled, defamation of character, Slander reputation, false Imprisonment, Pain & Suffering I been charges with four 3rd degree felonies Controlled Substance & Prob Item for the wrong reason I never had. The Photo shown to me by the Taskforce eigence was prescription Items Authorized by the County Jail from the med Cart. They Could easily compare the pill or Sent to FBI lab to Prove. But Instead I get new cases an wrong accused because its not drugs. They file false report Revoked my probation went up on my Bond & Offer treated unfairly Jumping the gun before the lab test came back. Im Innocent but getting treated like Im guilty, Slander my reputation family, friends, Inmates and Deputy didn't talking about me or don't want to support me anymore thinking Im on drugs when Im not im false Imprison I done anything wrong this is very stressful I lost my family, business, Job, Time, Pets, reinstatement wages, Privileges and more and after all is said and done I done nothing wrong. Im Innocent this need to be fix ASAP Im just a family man trying get home to my wife & 3 kids

Please reconsider
THANKS

Robert Felder III
Inmate Signature

Put this completed form in an envelope addressed to the Grievance Board the same day or the next normal workday. Do not use this form as an inmate request. Refer to the Inmate Handbook for the proper procedure. Unless the Grievance is of an emergency nature, the Grievance Board has fifteen (15) days in order to make a written reply.

REPLY TO INMATE COMPLAINT

Case # C-070124-17

Inmate: Felder, Robert

Booking # 406411

Housing Assignment G300

Date Received: 7/07/2024

Date Replied: 7/22/2024

Type of Grievance: Complaint

GRIEVANCES ARE FOR VIOLATIONS OF YOUR CIVIL RIGHTS; ANYTIME YOU ARE SUBJECTED TO A PROHIBITED ACT BY A STAFF MEMBER OR DENIED PRIVILEGES (WITHOUT JUST CAUSE) SPECIFIED IN YOUR INMATE HANDBOOK. YOUR COMPLAINT DOES NOT FALL WITHIN THESE GUIDELINES AND WILL BE ANSWERED BY PROPER PERSONNEL.

Inmate Felder,

You will need to speak to your attorney in regards to the new charge added during your incarceration.

-Sgt Moran

Robert L. Felder III 406411
Galveston Co Jail
5700 Ave H
Galveston, TX 77550-1

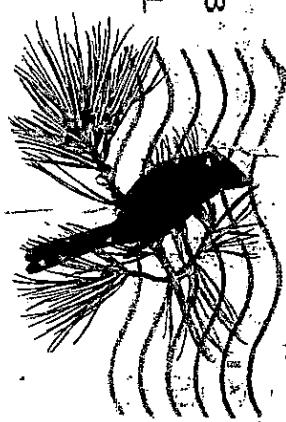
HOUSTON TX RPDC 773

22 NOV 2024 PM 1 1

Galveston County
Jail

FOREVER / USA

NATHAN Ochsner, M.A.
Clerk of Court
Inmate Mail
601 Rosenberg St
Galveston, TX 77550



Legal
Mail